b. Remarks

Claims 28-41 are pending in this continuation-in-part application, Serial # 10/826,753. Original Claims 1-27 have been canceled from this CIP application. Claims 37-41 are new.

1. Claim Amendments

Claims 28-41 are pending in this continuation-in-part application, Serial # 10/826,753. Claims 37-41 are new. Claims 1- 27 have been cancelled. Note that Claims 1-26 are pending in the parent application, Serial # 10/713,245. Pending Claims 28-41 can be renumbered 1-14.

The claims have been amended (see above). Claim 28, for example, has been amended to make it independent and include the limitations of the claim it depended on, Claim 26, except for the phrase in the preamble: "comprising at least one bracket and pole assembly for use on a raised flooring surface". The simplified preamble now refers to a "bracket and pole assembly kit".

2. Information Disclosure Statement/Parent

Enclosed for review are an Information Disclosure Statement with the references cited in the IDS from the parent application, # 10/713,245, and the Notices of References cited in the parent application, # 10/713,245. Copies of the non-patent documents cited in the IDS are also attached. Please note the Office actions, Applicant's Amendment/ Response, etc. in the Application # 10/713,245 file wrapper.

Applicant would be pleased to answer any questions or supply any information requested.

3. System

Applicant wishes to point out in summary that his bracket and pole assembly is a fully integrated multi-function system, which supports many outdoor applications on a deck surface. For example, the present system is capable of supporting a hammock, table tops, umbrellas, bird feeders, lazy susans, flower pots, etc. Of those, supporting hammocks and table tops are the most critical, imposing stringent requirements on the system as well as the individual elements of the system. The bracket and pole system must be able to withstand heavy loads, and maintain long-term stability. (For example, a hammock supporting two people with a combined weight of 350 pounds exerts a force of sixty thousand pounds per square inch at the base of the hammock pole. When the hammock is removed, and a table top is applied, it must not wobble, and must maintain a level surface perpendicular to the force of gravity, so as to prevent objects on the table from rolling off its surface).

Each element must be made as a single piece construction, and the elements must be made with close tolerances. Likewise, the system must be able to be quickly and easily disassembled, while maintaining a deck surface free of obstructions once the system is removed.

As shown in the figures, basic elements of the bracket and pole system of the present invention are:

a. A pole assembly with a one piece hollow pole, which is manufactured with a high yield strength metal capable of yielding under the load of a hammock, yet with the ability to rebound to a true vertical position, with holes strategically placed at standard heights to support dining tables, cocktail tables, and/or hammocks. An umbrella can be supported by placing it into the center of the pole shaft. This eliminates the need for a separate hammock pole stand.

b. A removable hook mechanism with the hook in close proximity to the shaft of the pole of the invention when it is in use. This minimizes the distance from the fulcrum, so that the load bearing is as near to the vertical surface of the pole as is practical, in order to maximize both the vertical force distribution and minimize the horizontal force distribution of the hammock load.

c. A one piece heavy duty bracket that can be bolted to the surface of the joist beneath the deck, preferably with twelve strategically spaced holes placed at optimum distances from the fulcrum formed by the pole in the shaft of the bracket. The brackets of the present invention do not require space between the boards of the deck. (Although most marine decks have space between deck boards, most residential decks do not include any significant space between deck boards.) The brackets can be placed on either the same joist, or different joists. When placed on the same joist without the twelve strategically spaced holes, the brackets would have a tendency to rotate toward each other due to the torque resulting from the enormous lateral force exerted at the fulcrum by the hammock load. Such a load would cause tearing at the wood fibers sufficient to loosen or even dislodge the bracket. When placed on the different joists, the solid four-wall structure of Applicant's invention eliminates the effects of wood fiber compression caused by pole pressure upon the surface of the wood joist, and the effects of aging of the wood such as shrinkage and/or rot.

d. An optional cable further enhances the strength and stability of the present invention under heavier loads by eliminating the likelihood of joist roll and possible dislodging of the joist from its support.

c. A one-piece table attachment made with close tolerances to slide over the pole. When the hook mechanism is removed, the table attachment of the present invention supports a table top with the stability and strength necessary to withstand dining table loads.

f. At least one table top, which may be placed over the pole of the present invention.

The elements are assembled into the present system using a variety of commonly available nuts and bolts.

No new matter has been added by these amendments. Applicant requests that these amendments be made of record in the case and considered by the United States Patent and Trademark Office Examiner, and that the claims as amended be allowed.

Respectfully submitted.
The Harleston Law Firm, LLC

By: Kathleen M. Harleston

Kathleen M. Harleston
Attorney for Applicant
Registration No. 33,398

Date: May 1, 2006

The Harleston Law Firm, LLC
909 Tall Pine Road
Mt. Pleasant, South Carolina 29464
(843)971-9453 Phone
(843)971-9505 Fax
kathleen@harlestonlawfirm.com

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the US Patent & Trademark Office, Fax No. 571-273-8300, on May 1, 2006.

Typed name of person signing this certificate: Kathleen M. Harleston

Signature: Kathleen M. Harleston